IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF SOUTH CAROLINA ORANGEBURG DIVISION

Sonia E. Gass,	Case No. 5:24-cv-01660-JDA-TER
Plaintiff,	
v.)	OPINION AND ORDER
Save the Children Federation, Inc., d/b/a Save the Children,	
Defendant.))	

This matter is before the Court on Defendant's motion to dismiss. [Doc. 6.] In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), this matter was referred to United States Magistrate Judge Thomas E. Rogers, III for pre-trial proceedings.

On August 19, 2024, the Magistrate Judge issued a Report and Recommendation ("Report") recommending that Defendant's motion to dismiss be denied. [Doc. 10.] The Magistrate Judge advised the parties of the procedures and requirements for filing objections to the Report and the serious consequences if they failed to do so. [Doc. 10-1.] Neither party has filed objections and the time to do so has lapsed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The Court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge

or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b).

The Court will review the Report only for clear error in the absence of an objection. See

Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (stating

that "in the absence of a timely filed objection, a district court need not conduct a de novo

review, but instead must only satisfy itself that there is no clear error on the face of the

record in order to accept the recommendation" (internal quotation marks omitted)).

The Court has reviewed the record in this case, the applicable law, and the Report

for clear error. Having done so, the Court accepts the Report and Recommendation of

the Magistrate Judge and incorporates it by reference. Accordingly, Defendant's motion

to dismiss [Doc. 6] is DENIED.

IT IS SO ORDERED.

s/ Jacquelyn D. Austin
United States District Judge

October 7, 2024 Columbia, South Carolina